

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lynn Doucette-Stamm and David Bush

Divisional of Application No.: 09/450,969 Filed: November 29, 1999

Title: Nucleic Acid and Amino Acid Sequences Relating to *Staphylococcus epidermidis* For Diagnostics and Therapeutics

Date: December 1, 2003

EXPRESS MAIL LABEL NO. EL 442001728 US

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

This Information Disclosure Statement is submitted:

[] under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

[X] under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of the national stage in international application; or before mailing date of first office action on the merits; whichever occurs last)

[] under 37 CFR 1.97(c) together with either:
[] a Statement under 37 CFR 1.97(e), as checked below, or
[] a \$240.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

[] under 37 CFR 1.97(d) together with:
[] a Statement under 37 CFR 1.97(e), as checked below, and
[] a Petition under 37 CFR 1.97(d)(2), and
[] a \$130.00 petition fee set forth in 37 CFR 1.17(i).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

[] Applicant requests that the attached IDS and cited reference(s) _____ be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- [] Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- [] No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Enclosed herewith is form PTO-1449:

- [] Copies of the cited references are enclosed.
- [X] Copies of cited references are enclosed except those entered in prior application, U.S. Serial No. 09/450,969, and references that are not required to be submitted under 37 CFR 1.98.
- [] The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

Concise Explanation Requirement (non-English references):

- [] The "concise explanation" requirement for reference(s) _____ under 37 CFR 1.98(a)(3) is satisfied by:
 - [] the explanation provided on the attached sheet.
 - [] the explanation provided in the Specification.
 - [] submission of the enclosed International Search Report.
 - [] the enclosed English language abstract.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- [] Enclosed is a check in the amount of \$_____.
- [] Please charge Deposit Account 501040 in the amount of \$_____.
- [] A copy of this Statement is enclosed.
- [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 501040.

Respectfully submitted,

GENOME THERAPEUTICS CORPORATION

By _____

Robert L. Spadafora

Registration No.: 46,197

Telephone: (781) 398-2300

Facsimile: (781) 398-2530

Waltham, Massachusetts 02453

Dated:

12/11/03

PTO-1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)				ATTORNEY DOCKET NO.: PATH03-16		APPLICATION NO.	
				APPLICANTS Lynn Doucette-Stamm and David Bush			
				FILING DATE		GROUP	
U.S. PATENT DOCUMENTS							
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	6,001,564	Dec. 14, 1999	Bergeron, et al.	435	6	
	AB	5,994,066	Nov. 30, 1999	Bergeron, et al.	435	6	
	AC	5,587,307	Dec. 24, 1996	Alborn, Jr., et al.	435	240.1	
	AD	5,770,375	June 23, 1998	Ohno, et al.	435	6	
	AE	6,025,132	Feb. 15, 2000	Jannes, et al.	435	6	
	AF	5,679,520	Oct. 21, 1997	Hogan, et al.	435	6	
	AG	5,635,348	June 3, 1997	Leong	435	6	
	AH	5,807,673	Sept. 15, 1998	Ohno, et al.	435	6	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AL						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AR	Zilhao, R., and Courvalin, P., "Nucleotide sequence of the fosB gene conferring fosfomycin resistance in <i>Staphylococcus epidermidis</i> ," <i>FEMS Microbiol. Lett.</i> , 68:267-272 (1990).					
	AS	McKevitt, A.I., et al., "Amino acid sequence of a deltalike toxin from <i>Staphylococcus epidermidis</i> ," <i>Infect. Immun.</i> , 58(5):1473-5 (1990).					
	AT	Sreedharan, S., et al., "Ciprofloxacin resistance in coagulase-positive and -negative staphylococci: role of mutations at serine 84 in the DNA gyrase A protein of <i>Staphylococcus aureus</i> and <i>Staphylococcus epidermidis</i> ," <i>Antimicrob. Agents & Chemother.</i> , 35(10):2151-4 (1991).					
	AR2	Roberts, R.J., "Staphylococcal transfer ribonucleic acids. II. Sequence analysis of isoaccepting glycine transfer ribonucleic acids IA and IB from <i>Staphylococcus epidermidis</i> Texas 26," <i>J. Biol. Chem.</i> , 249(15): 4787-96 (1974).					
	AS2	Kupke, T., and Gotz, F., "Expression, purification, and characterization of EpiC, an enzyme involved in the biosynthesis of the lantibiotic epidermin, and sequence analysis of <i>Staphylococcus epidermidis</i> epiC mutants," <i>J. Bacteriol.</i> , 178(5): 1335-40 (1996).					
	AT2	Martineau, F., et al., "Species-specific and ubiquitous DNA-based assays for rapid identification of <i>Staphylococcus epidermidis</i> ," <i>J. Clin. Microbiol.</i> , 34(12):2888-93 (1996).					
EXAMINER				DATE CONSIDERED			